

EXCUSE ME DISTRICT COURT THIS MEMO
S IN RESPONSE TO YOUR DISMISSAL, SEE MC
DWELL V CALDERON AND SEE WEST V ATKINS 982 US 901 1988
POINTING OUT WERE YOUR DISTRICT UNCLEARLY
INTERPRETED MY SUIT 1983 OVER A CONSTITUTION
VIOLATIONS.

IM RESPONDING ON THE 14 TH WORKING DAY
FROM RECEIVING YOUR RESPONSE OF DISMISSAL
ON JULY 29 2008 ONLY DUE TO MY LAW SUBJECT
BOOKLET, INSTRUCTIONAL STATES I HAVE AT LEAST
3 OR 3 WEEKS TO RESPOND TO YOUR DISMISSAL
BY MEMORANDUM

MEMORANDUM

TO WERE YOUR COURT MISINTERPRETED MY
GROUNDS AND ALLEGATIONS IS
GROUND 1) CRUEL AND UNUSUAL PUNISHMENT
DESCRIBES NOT ONLY PRISON OFFICIALS
ALLOWED ME TO MAKE FINANCIAL AGREEMENTS
DISREGARDING PRISON TITLE IS REGULATIONS
& PRISON CODES, THRU OVER FAMILIARITY WITH
INMATES, BEING INVOLVED WITH TASKS OTHER
THEN THEIR PROFESSIONAL DUTYS, ALSO
CONSPIRING MALICIOUSLY THRU MEETING OF
THE MINDS WITH INMATE GROUPS TO DELAY
THIS AGREEMENT ISSUE JUST FOR THE VERY
PURPOSE TO COMMIT HARM. BUT ARE DISREGARDING

FILED
AUG 25 PM 3:08
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ING ME FACTS FINDING C.O.'S BEING AWARE
OF ME BEING ~~ANIMATE~~ PONDERED APON BEING
ASSUMED CONTROL OVER FOR LARGE AMOUNTS OF
MONEY AND PROPERTY BEING STOLE AND DELT
WITH BUT DESCRIBE HOW DEFENDANTS
CONSPIRED MALICIOUSLY JUST FOR THE VERY
PURPOSE TO COMMIT HARM THREW MEETING
OF THE MINDS WITH GROUPS IN THE BLOCKS,
S.V.S.P A YARD & BLOCK TO DELAY AND DELAY
OVER A PERIOD OF 6 MONTHS SUFFERING
FROM P.T.S.D (STRESS SYNDROM) JUST OVER
BEING DELAYED MALICIOUSLY CAUSING
PSYCHOLOGICAL DISORDERS AND PROBLEMS,
AND PHYSICLY (PHYSICLY) DUE TO INTENTIONAL

UNBARE'ABLE (UNBAREABLE). TATTOO MESSAGES
ON BOTH OUTER ARMS HAD TO AMATEURALLY
CUT A OFF A LARGE PATCH OF MY (DEEP)
FLESH FROM MY RIGHT OUTER ARM.

SEE DOCUMENTATION (MEDICAL RECORDS)
AT SALINAS VALLEY STATE PRISON IN
BEGINING OF 2007 AND 42 USC § 1997e(e)
WERE DEFENDANTS EGREGIOUSLY VIOLATING
UNUSUAL CIRCUMSTANCES OF CRUEL AND
UNUSUAL PUNISHMENT DUE TO PROFESSIONAL
STAFF WERE INVOLVED MALICIOUSLY FOR THE
VERY PURPOSE TO COMMIT HARM CONSPIRING
WITH INMATES BY MEETING OF MINDS, SEE
HECK V HUMPHREY 512 US 917 (1994) BY
SHOWING DAMAGE (PHYSICAL) SEE

FARMER v BEENAN 511 US 805 834 (1994)
BY BOTH GROUPS CREATING SERIOUS VIOLATIONS
LEADING TO GROSS PHYSICAL HARM AND
SEE CRUZ v BETO 405 U.S. 319, 322 (1972)
STATING, A COMPLAINT SHOULD NOT BE
DISMISSED FOR FAILURE TO STATE CLAIMS.
SEE MY EXHAUSTED REMEDY ON TATTOOING ISSUE
STATING A FACTS FINDING IN DEFENDANTS
BIEN & INVOLVED, SHOWING SET FACTS
SUPPORTING MY CLAIMS.

NOW, ON THE INTERPRETATION ON THE
PHYSICAL CONFRONTATION WITH INMATE
CARDWELL BY OFFICERS ALLOWED FINANCIAL
AGREEMENTS IS WRONGLY DESCRIBED DUE
TO 1ST OF ALL THIS GROUND STATES
ONLY MY RIGHT TO EQUAL PROTECTION
VIOLATION, ONLY! NOT AS YOUR COURTS
DESCRIBE. THIS IS A 14TH AMENDMENT
VIOLATION DUE TO BY DEFENDANTS
CONSPIRING MEETING OF MINDS WITH
INMATE GROUPS MALICIOUSLY PROLONGING
ME DAY TO DAY LIKE DESCRIBED IN
EXHAUSTED REMEDY REGARDING TATTOO
ISSUE, (FOR PERIODS OF 6 MONTHS)
(AND LONGER DAY TO DAY) OVER C.O.S. AND
INMATES ILLUSIONAL UNNECESSARY
ASSUMPTIONS IN PROTECTION OF OVER

FAMILIARITY WITH THIER INMATE GROUPS (DISRUPTIVE) & BY BEING AWARE OF ME BEING MONITORED AROUND AND STOLE AND DEFT WITH BY THE FACTS FINDINGS IN EXHAUSTED REMEDIE OF TATTOO ISSUE DESCRIBE BEING ASSUMED CONTROL OVER FOR LARGE AMOUNTS OF PROPERTY AND MONEY THEN GOT IN CONFRONTATION WITH INMATE CARDWELL AFTER RECEIVING A ~~THE~~ AND THREAT FROM INMATE (1) MORE ISSUE DEFENDANTS BEING AWARE OF WAS ALSO RECEIVING THREATS FROM INMATE) THEN WAS INVOLVED IN A ALTI GATION WITH INMATE CARDWELL,

IN WHICH I HAVE RIGHTS TO BE PROTECTED FROM THESE SITUATIONS AS STATED IN THE 14TH CONSTITUTIONAL AMENDMENT, VIOLATING MY RIGHT TO EQUAL PROTECTION, AND SAFE GUARD LAW. SEE NEITZKE V WILLIAMS 490 US 319, 38 (1989) WERE I CLEARLY SUBMITTED EVIDENCE OF FACTS FINDING DEFENDANTS IN DESCRIBE TASKS,

INCLUDING,

YOUR STATEMENT OF MY GROUNDS BEING UNCLEAR ALL DUE TO FACTS HAD TO BE UNCLEAR (INTERPRETED) OVER MY GROUNDS DESCRIBE ~~EACH~~ CONSTITUTION VIOLATIONS, TO

HAVE RESPONSE DESCRIPTIONS, OF WHOLE DIFFERENT FACTS OF ISSUES OF MY CONSTITUTION BIENT VIOLATED MALICIOUSLY, BY DEFENDANTS, FROM YOUR DISTRICT COURT, WERE IN MY GROUNDS IN 1983 CIVIL SUIT DESCRIBE IN BRIEF DETIAL ALL BASED ON LONG DESCRIPTIONS IN REMEDYS THAT PROLONGED OVER PERIODS OF 6 MONTHS TO BE EXHAUSTED AND DISCRIMINATED FROM DUE TO ALLEGATIONS APON C.D.C.P. ETAL,

AND AS STATED IN STEPS FOR MOTIONS OF DISMISSILS IN MY LAW BOOKLET, STATE PLIANTIFFS NOW ARE CREATING DIFFERENCE IN COURT TO GIVE DISMISSILS REASON,

AND NOW IM HAVEING DESCRIPTIONS OF MY GROUNDS OVER LOOKING ACTUAL CONSTITUTIONAL VIOLATIONS BIENT DESCRIBED WRONGLY AND TWISTED DIFFERENTLY,

AND IF SO AND IF THESE DESCRIPTIONS ARE FROM PLIANTIFFS IN TRUTH PLIANTIFFS IN COURT ARE MANIPULATING YOUR DISTRICT COURTS TO OVER LOOK MY DESCRIPTIONS OF NUMEROUS CONSTITUTIONAL VIOLATIONS

EXAMPLES,

OF ~~THESE~~ THE RESPONSES OF DISMISSILS, INCLUDING CURRENT RESPONSE OF ACTION OF DISMISSIL,

ALL DUE TO IN EACH AND EVERY ONE OF

OF MY GROUNDS INCLUDING,
THE P.V.P CLAIM YOUR DISTRICT
DESCRIBES,

WHICH I DO NOT KNOW WHY EACH COMPLAINT
IS UNCLEAR DUE TO ONLY DESCRIBING REGULATION
AND AMENDMENT VIOLATIONS IN LONG DESCRIPTION
IN EXHAUSTED REMEDYS.

AND DETAILING BRIEFLY IN GROUNDS,
CONTINUING THIS CLAIM OF THE DESCRIBED
FROM YOUR DISTRICT AS P.V.P CLAIM.

BUT ONLY DESCRIBES
STAFF NEGLIGENCE,

BY STATING P.V.P WAS IN RESPONSE OF
INMATE CARDWELL WHO CONSPIRED WITH STAFF
CONSPIRING THRU MEETING OF MINDS AND
STAFF BEING AWARE OF ME BEING PUNDERED
APON RECEIVING THREATS, AND NEGLECTED
TO REACT, PROPERLY, BY CONTINUING TO
STAY INVOLVED IN TATTOOING ISSUE GIVEN
PERMITTED DAYS TO INMATES FOR TATTOOING,

WERE IN P.V.P. I REACTED IN SELF DEFENCE
(BUT EQUAL RESPONSIVE ACTIONS BEING UNAWARE
WERE STAFF IN I.C.C. NEGLECTED,
TO HAVE HIS P.V.P DOCUMENTATION OF
P.V.P. HIS BEING HEARD WERE IT WAS HEARD
BY LT. WARFIELD,

AND NEGLECTED TO HAVE DOCUMENTATION
OF I.S.U. OF S.V.S.P'S (C/O HANLEY) RECOMMENDATION

STATED TO ME BY HANEY AT MY CELL
DOOR HAVING MY CELL MATE AS WITNESS
(AT THAT TIME BEGINNING 2007) STATEING MY
D.A. REFALS BIENT WRITEN UP AS MUTUAL
COMBAT BUT THE 118 F.V.P.'s BIENT WRITEN UP
AS SAME (BATTERY S.B-1.), AND SUSPENDING
THE S.H.U. AND PUT UP FOR TRANSFER,
GOING TO I.C.C. ON DOCUMENTED DATE,
WERE I.C.C. NEGLECTED TO HAVE DOCUMENTATION
STAFF NEGLECTED TO SUBMIT.

SEE 48 USC § 1991 e(e) BY EXPERIENCING
(EXPERIENCING) GROSS PHYSICAL DAMAGE, THEN
SUFFERING PSYCHOLOGICAL DAMAGES,

DUE TO NEGLECTION OF DOCUMENTS, 1981 TEIN
CASE OPEN AGAIN INCLUDING D.A. REFERAL
AND CHANCES OF UNFAIRLY BIENT SENTENCED
TO LIFE IN PRISON UNDER 3 STRIKES, WERE
IN FACT RELIEVED NUMEROUS THREATS AND
REACTED IN DEFENSE, ON INMATE CONSPIRED
WITH STAFF. MEETING OF THE MINDS WITH,
AND HAVE DOCUMENTATION IN EXHAUSTED
REMIDY OF NEGLECTED INFORMATION WRITEN
ON I.C.C. 128 & STATEING INFORMATION
FROM I.C.C., SEE BALISTRERI V PACIFICA
POLICE DEPT. 901 F2D 696 699 (9TH CIR 1988)

AND WEST V ATKINS 481 US 481, 48 (1988); BY SHOWING
EVERSE SENT, FURTHER MORE, SEE, ID at 486, 87.

• HAVE ADDITIONAL GROUNDS DESCRIBING HEAT

TEMPITURE IN LIVEIN6 AREAN AREA
FAST UNCOMFORTABLE LEVEL VIOLATIONS
IN HEALTH CODE VIOLATIONS, IN COMPARISON
TO TORTURE INCLUDEIN6 LITES IN LIVEIN6
AREAN INTENSITY HEAT UNBAREBLy IN
COMPARISON TO DEVICES MILITARY USE TO
DISABLE ENEMY OF WDR. CREATING PSYCHOLOGICAL
TORTURE (TORTURE) AND DAMAGED TANNIN6 SKIN
ALSO THESE REMINDS TO BE
DISCRIMINATED FROM C.D.C.'s APEAL
PROCESSOR DUE TO CRIMINAL ALIBATION
CONCERNING TORTURE,

AND am CURRENTLY IN PROCESS OF
BEGINNING STATES OF EXHAUSTING REMEDY IN
CSP SAC REGARDING THIS HEAT ISSUE,
SEE. MCDOWELL V CALDERON 197 F. 3D
1853 1855 (9TH CIR. 1999) INTERNAL QUATATION
AND CITATION OMITTED)

AND SEE WEST 987 VS AT 48 DUE TO
PRIVACY CLAIM IS CLEARLY A ~~14TH AMENDMENT~~ VIOLATIONS
~~14TH~~ AMENDMENT VIOLATIONS RIGHTS TO
PRIVACY, ALL DUE TO MAKE DECISIONS,
GATHER INFORMATION, DISCLUDEIN6 OTHERS
FROM PERSONAL DECISIONS, THESE RIGHTS
ARE VIOLATED BY LARGE POPULATIONS FORCEIN6
THIER PRESENCES (BY SURVALIACE AND SOUND
TRANSMISSION) TO BECOME AWARE OF VALUBLE
INFORMATION I GATHER FOR MEANS OF SUPPORT
CLEARLY ~~14TH~~ HIGHLY AND STRONGLY VIOLATEIN6
MY RIGHTS TO SANGRITY AND SOLITUDE AND

INFORMATION I GATHER FOR MEANS OF
 SUPPORT CLEARLY HIGHLY AND STRONGLY
 VIOLATING MY RIGHTS TO SANCTITY AND
 AND SOLITUDE AND TO BE PROTECTED FROM
 THIS TREATMENT OVER ILLUSIONAL UNNECESSARY
 ASSUMPTIONS AS STATED IN 4TH CONSTITUTION
 AMENDMENTS AND GOVERNMENT SAFE GUARD
 ACTS. CREATING PSYCHOLOGICAL TORTURE BY
 EVERY PERSONAL DECISION AND VALUABLE
 GATHERED INFORMATION, BIENT BROADCASTED
 BY SURVALIANCE (SURVALIANCE) SOUND
 TRANSMISSION BIENT SPYIED AND STUDIED
 FROM 3 SIDES, (C.D.C. ETAL, INMATE GROUPS,
VISUAL APLIKATORS AND STEREO TAKTIKS,
 (BY UNKNOWN PARTY AT THIS TIME)
 BUT C.D.C.'s AFILIATING WITH THESE
 METHODS, ~~WARRANT~~

FORCING THEMSELVES BECOME INTO AWARE
 OF MY GATHERED INFORMATION & PERSONAL
 DECISIONS MEANT FOR MY ONLY MEANS OF
 SUPPORT EACH TIME DECISIONS ARE MADE
 TRANSMITTING SOUND AND SURVALIANCE
 CREATING PSYCHOLOGICAL TORTURE OVER THE
 LARGE PLAGUARIISM OPENINGS BY WHOLE
POPULATIONS BY EVERY DECISION AND
 INFORMATION I GATHER EACH TIME AFTER
 TIME DAY AFTER DAY FROM DATE OF CREATION
 • APR. NOV. 2006 UNTIL PRESENT DAY AUG 2008

BY ALL GROUNDS IN 1983 IN U.V.S.P. AND CURRENT METHODS USED IN C.S.P. SAC A YARD E.O.P. §.6.7.B 1 BLOCK SEE 42 USC § 1997e(e) AND DUE TO LACK OF CASE LAWS INVOLVING INVOLVING THIS ISSUE, SEE CONLEY V GIBSON 355 US 41 45 46 (1957) CONSIDERING A MOTION TO DISMISS A PRO SE COMPLAINT SHOULD BE HELD TO LESS STRICT STANDARDS & STATED BY SUPREME COURT, BACKING MERIT THRU ACTUAL REPUTATIONS DETENTION DETENTION CENTERS HAVE OF EYESDROPPING. IN FACT IS PRISON IN DETROIT IN BEGINNING OF 2007 HAD FACTS OF METHOD OF EYESDROPPING VOTED UNCONSTITUTIONAL IN COURT

AND BY BOOK AUTHOR OF EX GOVERNMENT & SEE AUTHOR NAME IN REMIDY REBAUNDING THIS ISSUE (RIGHT TO PRIVACY) THAT WAS DISCRIMINATED FROM APPEAL PROCEDURES IN C.D.C.P. OVER BOTH SENCE OF SURVIALENCE AND SEE EYESDROPPING BILL CURRENTLY EXTENDED, AND SEE PHYSCEATRIC DOCUMENTATION IN U.V.S.P. 2006 AND C.S.P. SAC OF PSYKOLOGICAL DOCUMENTATION BY THE 3 EYESDROPPING METHODS INVOLVING VISUAL APLIKATORS AND STEREO TARTICL ALIBATIONS BASED ONLY EXPLIANABLE & LOGICAL FACTS OF BROADCAST OF INFORMATION ONLY WHEN VISUALIZED. SEE RESEACH VIDEED PRODUCED FOR GOLDBERG.

TO UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF CALIFORNIA RESPONSE TO
ORDER DENYING MOTION FOR
RECONSIDERATION NO 07-4025
MMC(PR) (DOCKET NO. 10)

DAVID NELSON PRYER
PLAINTIFF,

V.

M.S. EVANS, WARDEN ET AL

DEFENDANTS

THE UNITED STATES DISTRICT
COURT IS PRESENTED WITH NEWLY
DISCOVERED EVIDENCE THE ALTERED
AMEND UNDER RULE 59 ~~REMOVED~~
RESPONSE TO ORDER DENYING
MOTION FOR RECONSIDERATION
WHICH IS SOLIDIFIED AND APPLICABLE
STANDARD FOR JUSTIFIED RELIEF
UNDER THE PLAINTIFFS UNITED
STATES 14TH CONSTITUTIONAL
AMENDMENT CLAUSE WHICH AFFORDS

THE PLAINTIFF DUE PROCESS
PROTECTED BY THE PLAINTIFF
14TH UNITED STATES CONSTITUTIONAL
AMENDMENT CLAUSE OF DUE PROCESS
THE PLAINTIFF CONTENDS THAT HE
IS ENTITLED TO PROCEED WITH
HIS COMPLAINT AGAINST CORRECTIONAL
~~OFF~~ OFFICERS AT S.V.S.P. CORRECTIONAL
OFFICER FRISK MUNGER AND MENDOZA
MENDOZA VIOLATED THE PLAINTIFFS
14TH UNITED STATES CONSTITUTIONAL
AMENDMENT CLAUSE OF DUE PROCESS
WHEN ALLOWING HIM TO BE
TATTOOED BY ANOTHER INMATE
AND THEN INTENTIONALLY DELAYED
COMPLETION OF TATTOO EVEN THOUGH
PROCEDURAL DUE PROCESS CLAUSES(S)
OF C.P.C.R. TITLE IS STIPULATE
OPPOSE OF TATTOO CORRECTIONAL
OFFICERS FRISK MUNGER AND MENDOZA
VIOLATED THE PLAINTIFFS 14TH
UNITED STATES DUE PROCESS
CLAUSE AMENDMENT WHEN ALLOWING
THE PLAINTIFF TO BE TATTOOED
BUT PROCRASTINATED CONCLUSION
OF TATTOO; WERE VIOLATED THE
PLAINTIFFS 14TH UNITED STATES
CONSTITUTIONAL AMENDMENT DUE
PROCESS CLAUSE UNDER MINED BY
DEFENDANTS BECAUSE A AGREEMENT

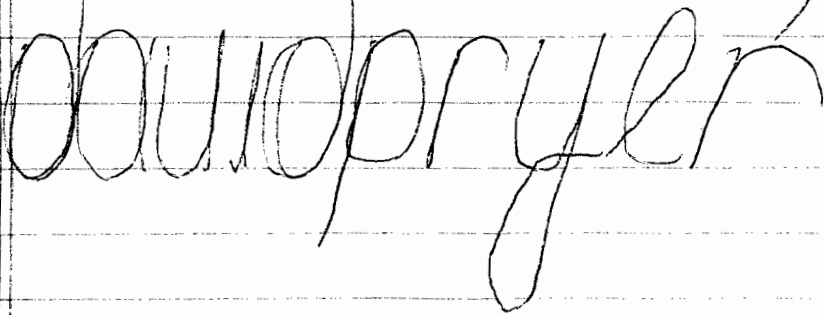
WAS UNDERMINED AND THE PLAINTIFFS
14TH UNITED STATES CONSTITUTIONAL
AMENDMENT DUE PROCESS WAS
VIOLATED BY DEFENDANTS FRISCH
MUNDR and MENDOZA BECAUSE
DUE PROCESS CLAUSE OF THE
PLAINTIFF 14TH UNITED STATES
CONSTITUTIONAL AMENDMENT EXEMPLIFY
AGREEMENT WHICH DEFENDANTS
UNDERMINED BY NOT ALLOWING
THE PLAINTIFFS TATTOO WORK
TO BE COMPLETED THE PLAINTIFF
FURTHER ~~MARTIN~~ CONTENDS HIS
8TH UNITED STATES CONSTITUTIONAL
AMENDMENT WAS VIOLATED BY
CORRECTIONAL OFFICERS WHICH PROHIBITS
CRUEL AND ~~UNUSUAL~~ UNUSUAL PUNISHMENTS
WHICH WAS PERPETRATED BY
CORRECTIONAL OFFICERS DUE TO
THE PLAINTIFFS SUFFERING FROM
PERSISTENT PSYCHOLOGICAL DISTURBANCE
COLLABORATED WITH THE PLAINTIFFS
MENTAL ILLNESS ^{FURTHER} DECOMPOSE WHICH
RESULTED FROM THE ~~INCOMPLETION~~
INCOMPLETION OF TATTOO WORK
CONDORED BY CORRECTIONAL
OFFICERS ALL OF THE FOREMENTIONED
FOREMENTIONED PRECIPITATED A
PHYSICAL ALTERCATION ALSO ACT
WITH INMATE ~~AND~~ CARDWELL

WHICH THE PLAINTIFF UNJUSTIFIABLY
 RECEIVED A DISCIPLINARY REPORT
 FOR AS A RESULT OF CORRECTIONAL
 OFFICERS VIOLATING A AGREEMENT
 OF NOT LETTING TATTOO WORK
 BE COMPLETED WHICH IS A OVERT
 VIOLATION OF THE PLAINTIFFS 14TH
 UNITED STATES CONSTITUTIONAL
 AMENDMENT ~~BECAUSE~~ BECAUSE OUR
 PROCESS CLAUSE OF THE PLAINTIFFS
 14TH UNITED STATES CONSTITUTIONAL
 AMENDMENT EXEMPLIFY AGREEMENT
 WHICH CORRECTIONAL ~~OFFICERS~~
 OFFICERS VIOLATED WHEN NOT
 ALLOWING THE PLAINTIFF TATTOO
 WORK TO BE COMPLETED
 THE CONTENTS CONTAINED ~~IN~~
 CONVEY TO COURT EXEMPLIFY
 MALICIOUS CONSPIRATORY BEHAVIOR
 CLARIFIED BY CORRECTIONAL OFFICERS
 WHICH ENDANGERED THE PLAINTIFFS
 PHYSICAL SAFETY A OVERT VIOLATION
 OF THE PLAINTIFFS 8TH UNITED
 STATES CONSTITUTIONAL AMENDMENT
 OUR PROCESS CLAUSE AND PROCEDU
 RAL OUR PROCESS C.D.C.R. TITLE
 15 CLAUSE(S) THE PLAINTIFF ~~CONTAINS~~
 CONTAINS THAT ALL FOREGOING
 CONTENTS IS TRUE AND CORRECT

(15)

AND REALISTIC ALLEGATIONS
 CAN BE PROVED SOLIDIFIED
 AND CONCLUDED BY THE PLAINTIFFS
 APPLICABLE ~~FEDERAL~~ FEDERAL
 RULES OF THE COURT WERE UPON
 THE PLAINTIFF PRAYS UPON THE
 COURT TO ADMINISTER POLY
 GRAPH EXAMINATION OF CORRECTIONAL
 OFFICER FRISK MUNDER AND MENDOZA
 TO PROVE RECTIFIED CLAIMS
 RELATED IN COMPLAINT TO PROVE
 8TH AND 14TH UNITED STATES
 CONSTITUTIONAL AMENDMENT VIOLATIONS
 BY CORRECTIONAL OFFICER FRISK
 MUNDER AND MENDOZA AND
 THAT THE PLAINTIFF BE AWARDED
 IN JURY TRIAL \$50,000 DOLLARS
 PER DEFENDANT FOR PAIN SUFFERED
 AND OVERT UNITED STATES ~~CONSTITUTIONAL~~
 CONSTITUTIONAL AMENDMENT VIOLATION
~~AND~~ THE PLAINTIFF CONVEY TO
 THE COURT

SOLIDIFIED BY



DAVID MYER KAS 989
CSP SAC PRISON
B YARD 8 BLOCK #201
PO BOX 39
CEPRESA CA 94561

U.S. DISTRICT COURT
450 GOLDEN GATE AVE
SAN FRANCISCO CALIFORNIA 94102

MMC



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M. T. 10/10/07
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RECEIVED

AUG 29 2008

HONORABLE JUDGE
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

prose

07-4025 MMC

EXCUSE ME DISTRICT COURT
IM SUBMITTING 3 COPIES OF
MY MEMORANDUM

ALONG WITH XEROX OF
A REMINDER DUE TO INBIENT
GROUND FOR NEGLIGENCE
INCLUDE IN SACRAMENTO
APPEAL FOR SEND MY BOY
BACK UNEXHAUSTED WHEN IT
WAS SENT AT DIRECTOR
LEVEL.

IM IN PROCESS OF COPYING
WHOLE 1983 ALONG WITH
EXHIBITS
FOR NOW IM SUBMITTING
THIS MEMO

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE
APPEAL FORM**
CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

2.

2.

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME: PRYER NUMBER: K-759891 ASSIGNMENT: ICC UNIT/ROOM NUMBER: D-8/1110

A. Describe Problem: ON 3/1/07 I WAS BROUGHT TO ICC. IN THE PROCEEDINGS I WAS TOLD MY IIS # A-06-11-0023 BATTERY ON INMATE W/SBI WAS NOT HEARD YET ICC ALSO STATED THERE WERE NO RECOMMENDATIONS ON THE DA REPERAL BEING REDUCED TO MUTUAL COMBAT THAT WAS BROUGHT TO MY ATTENTION BY I.S.U. THEN STATED DOCUMENTED IN MY C-FILE I POSTPONED MY IIS PENDING THE DA REPERAL. (1) MY IIS WAS HEARD ON 12/07/06 ON 3rd WATCH BY ~~THE~~ LIEUTENANT WARRIEL

If you need more space, attach one additional sheet.

B. Action Requested: THE PROPER DOCUMENTATION THAT MY IIS WAS HEARD AND THE D.A. REPERAL REDUCTION TO SURFACE.

Inmate/Parolee Signature: David PryerDate Submitted: 3 27 07C. INFORMAL LEVEL (Date Received: 4/3/07)

Staff Response: PARTIALLY GRANTED, THE RVR WAS ORDERED TO BE RE-ISSUED AND RE-HEARD, AS SOON AS THE RVR IS ADJUDICATED, YOU WILL BE RETURNED TO ICC FOR A REVIEW OF YOUR PROGRAMMING NEEDS.

Staff Signature: [Signature]Date Returned to Inmate: SEP 14/3/2007

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification Chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

IM NISATISFIED 1ST CAUSE IM NOT ASKING TO GOUGHT BACK TO COMITY OR FOR AJUDICATION M ASKING FOR THE INFO. THAT WAS BROUGH TO MY TENTION BY I.S.U. OVER MY D.A. REPERAL BIEN6

Signature: David PryerDate Submitted: 4.11.2007

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

RECEIVED APR 12 2007



AND I.S.U. HENNELLY CAME ON DEC. 12, 2006 TO TELL ME THAT MY DA REFERRAL WAS BEING WRITTEN UP AS MUTUAL COMBAT AND THE D.A. WOULDN'T PICK IT UP. CCII STATED HE WOULD LOOK INTO MY IIS AND IF IT WAS HEARD I WILL BE BROUGHT BACK TO ICC NEXT WEEK (3/08/07). BECAUSE OF THIS CONSTANT RETALIATION THAT I'M HAVING TO DEAL WITH CONSTANTLY FROM YARD TO YARD THAT'S OBVIOUS DUE TO HAVING NO DOCUMENTATION OF MY IIS BEING HEARD ECT. THIS TYPE OF RETALIATION IS CONSTANTLY PSYCHOLOGICALLY DAMAGING ME AND I CAN'T DEAL WITH THESE PEOPLE WORKING FOR CDCR WHO M COME TO WORK AND PERFORM ANYTHING OTHER THAN THEIR WORK TASKS. BY TAKING RESPONSIBILITY IN THEIR OWN HANDS OVER PERSONAL GRODDGES OVER FEELINGS HOW SPECIFIC ISSUES THAT HAPPEN WITHIN CDCR SHOULD OUTCOME. VIOLATING TITLE 15 SECTIONS ~~3413(a)(1)(B)~~ 3413(a)(1)(B) AND 3413(a)(3) INCOMPATIBLE ACTIVITY 3391(a) EMPLOYEE MISCONDUCT SEE ATTACHED DOCUMENT OF TWO (115A) SHOWING NO POSTPONEMENT.

INCLUDING SACRAMENTO CHIEF OF INMATE APPEALS N. GRANIS, REFUSING TO EXHAUST MY 602, THAT WAS READY FOR A DIRECTOR'S LEVEL RESPONSE, SENT WITH 7 OTHERS. BY SENDING THIS VERY SAME 602 BACK TO ME, THAT HAD A 2ND LEVEL RESPONSE STATING THEIR BRANCH, ONLY EXAMINES 602s WITH 2ND LEVEL RESPONSES. MAKING THIS

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION
INMATE APPEALS BRANCH
P. O. BOX 942883
SACRAMENTO, CA 94283-0001
DIRECTOR'S LEVEL APPEAL DECISION

Date: **DEC 13 2007**

In re: David Pryer, K75989
California State Prison, Sacramento
P.O. Box 29
Represa, CA 95671

IAB Case No.: 0700006

Local Log No.: SVSP-07-01698

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner J. G. Arceo, Facility Captain. All submitted documentation and supporting arguments of the parties have been considered.

I APPELLANT'S ARGUMENT: It is the appellant's position that Institution Classification Committee (ICC) rendered a decision on his program and housing needs prior to the postponement of adjudication he requested on a pending CDC Form 115, Rules Violation Report (RVR). He requests to be released from the Administrative Segregation Unit (ASU) and to be provided with the proper documentation that the RVR issued to him for Battery on an Inmate with Serious Injury was reduced to Mutual Combat by the District Attorney (DA).

II SECOND LEVEL'S DECISION: The reviewer found that the Monterey County DA rejected prosecution of the charge and the RVR was properly adjudicated at Salinas Valley State Prison (SVSP). On May 31, 2007, ICC conducted a program review of the appellant's ASU housing and due to the guilty finding of the RVR imposed a 24-month aggravated Security Housing Unit (SHU) term with a Minimum Eligible Parole Date of May 8, 2008. The appellant's case will be reviewed by a Classification Staff Representative for transfer to a Psychiatric Security Unit due to the appellant's Enhanced Outpatient Program status. The appellant's request that the RVR be properly documented has been granted.

III DIRECTOR'S LEVEL DECISION: Appeal is denied.

A. FINDINGS: The appellant has failed to establish that his due process rights have been violated to warrant release from the ASU prior to his Minimum Eligible Release Date. ICC imposed a SHU term on the RVR for Battery on an Inmate with Serious Injury and not for a Mutual Combat charge as indicated by the appellant. While the appellant contends that the RVR was to be issued for Mutual Combat does not mean the charge will be modified on his word alone. Also, the institution is required to complete the disciplinary process of an RVR even when the Monterey County DA has rejected prosecution of any RVR referred to their agency by the institution for prosecution. A rejection by the DA does not equate to a reduction of the charges to a lesser offense unless the circumstances of the specific act committed warrants. No relief at the Director's Level of Review is necessary.

B. BASIS FOR THE DECISION:
California Code of Regulations, Title 15, Section: 3375, 3379

C. ORDER: No changes or modifications are required by the Institution.

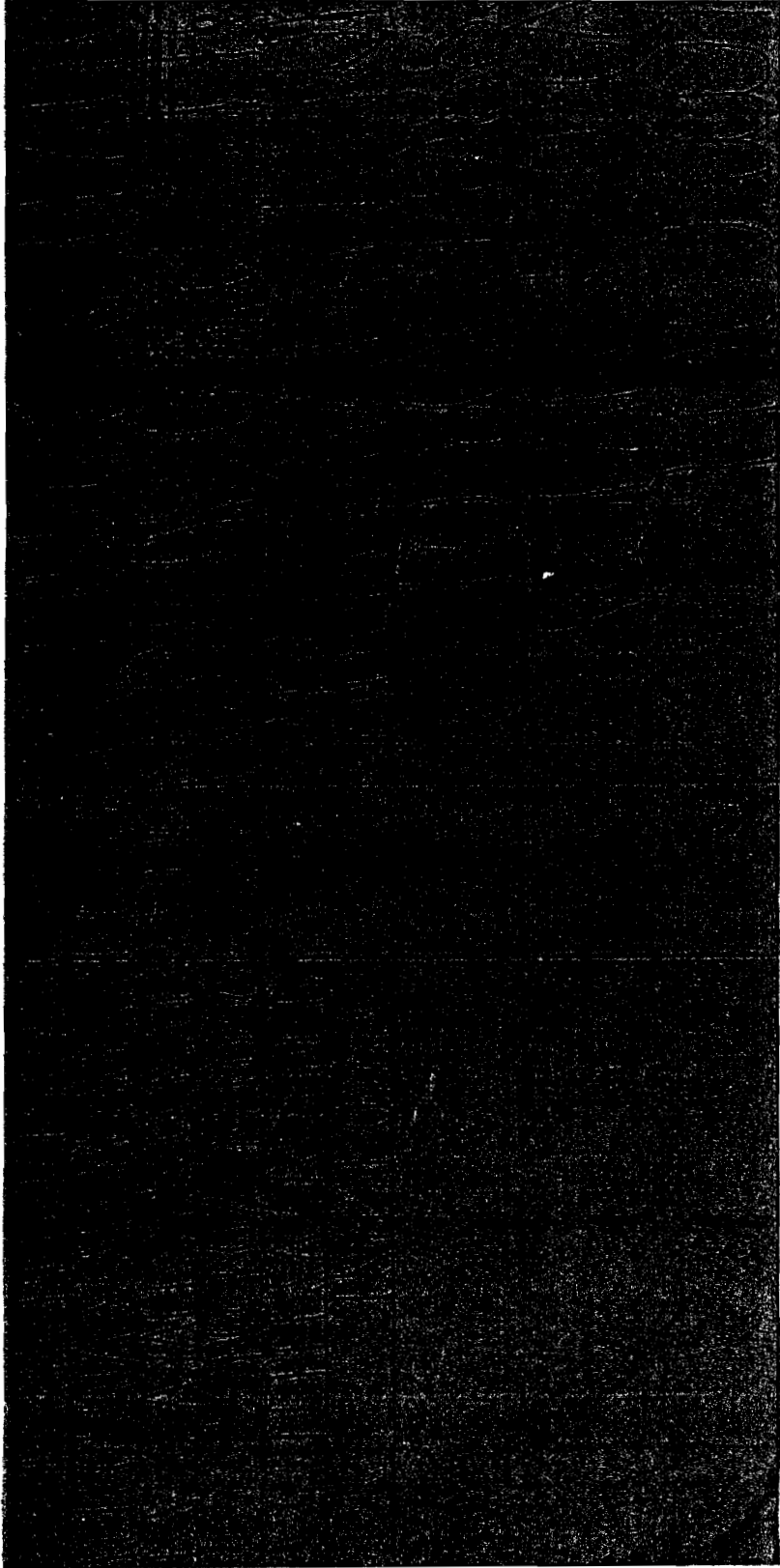
CHIEF INMATE APPEALS BRANCH
DEPARTMENT OF CORRECTIONS
AND REHABILITATION
P.O. BOX 942883
SACRAMENTO, CA 95828-0101

FOLSOM STATE PRISON
PRISON ROAD
P.O. BOX 71
REPRESA, CA 95671

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FIRST CLASS



State of California
Department of Corrections

California State Prison-Sacramento
P.O. Box 29, Represa, CA 95671

INMATE/PAROLEE APPEAL SCREENING FORM

-PLEASE FOLLOW INSTRUCTIONS AND RETURN WITH YOUR CDC 602-

Name Pryer CDC#: 1275989 Issue: 9 Housing: A7-206

YOUR CDC 602/1824 APPEAL FORM IS BEING RETURNED TO YOU FOR THE FOLLOWING REASON(S):

- ☐ 1. The action or decision being appealed is not within the jurisdiction of this department. (File BPT form 1040 attached).
- ☐ 2. You have submitted a duplicate appeal on the same issue. Check one:
- ☐ Your first appeal is currently under review at the _____ level.
- ☐ This appeal has been withdrawn.
- ☐ Your appeal was completed, Log # _____.
- ☐ 3. You are appealing an action not yet taken.
- ☐ 4. You have not attempted to resolve the problem at the informal level with:
- | | | | | |
|---|--|--|---|---|
| <input type="checkbox"/> Counselor/CCI | <input type="checkbox"/> Dental Office | <input type="checkbox"/> Visiting Sgt. | <input type="checkbox"/> Records | <input type="checkbox"/> Housing Unit C/O |
| <input type="checkbox"/> Medical Clinic | <input type="checkbox"/> Trust Office | <input type="checkbox"/> Mailroom | <input type="checkbox"/> Law Library | <input type="checkbox"/> C/O who Inventoried Prop |
| <input type="checkbox"/> Psyche Clinic | <input type="checkbox"/> I/M Assignment Office | <input type="checkbox"/> R&R | <input type="checkbox"/> Fac. Prop. C/O | <input type="checkbox"/> Other |

☒ 5. You have not adequately completed the Inmate/Parolee form (CDC 602) or attached the proper documents.

Please attach the following items or explain why they are not available and send what you have back to the Appeals Office ASAP

- | | |
|--|--|
| <input type="checkbox"/> CDC 115 After Completion of RVR | <input type="checkbox"/> Appeal not ADA ISSUE |
| <input type="checkbox"/> CDC 115A <input type="checkbox"/> Supplemental <input type="checkbox"/> Incident Report | <input type="checkbox"/> CDC 1819 Denied Publications |
| <input type="checkbox"/> CDC 1858 Rights and Responsibilities Statement | <input type="checkbox"/> CDC 1030 Confidential Disclosure form |
| <input type="checkbox"/> CDC 1845 Inmate/Parolee Disability Verification | <input type="checkbox"/> CDC 128-A <input type="checkbox"/> CDC 128-B <input type="checkbox"/> CDC 128-C |
| <input type="checkbox"/> CDC 128-G Initial Classification Committee | <input type="checkbox"/> CDC 128-B1 Request for Removal from Assignment |
| <input type="checkbox"/> CDC 128-G ICC/UCC Classification Committee Action | <input type="checkbox"/> CDC 128-B2 SSU/IGI Gang Validation |
| <input type="checkbox"/> CDC 128-G UCC <input type="checkbox"/> CSR Referral <input type="checkbox"/> Annual Review | <input type="checkbox"/> Resubmit First Level Response |
| <input type="checkbox"/> CDC 128-G ASU/ICC Chrono as checked: <input type="checkbox"/> Walk Alone <input type="checkbox"/> Single Cell | <input type="checkbox"/> Release from ASU <input type="checkbox"/> SHU Recommendation |
| <input type="checkbox"/> CDC 128-G Ad/Seg Initial Chrono <input type="checkbox"/> CDC 114D | <input type="checkbox"/> CDC 143 Prop./Trans. Receipt <input type="checkbox"/> Cell Search Receipt |
| <input type="checkbox"/> CDC 128-G Ad/Seg ICC Class. Committee CSR Referral | <input type="checkbox"/> Appeal Process not to be used for interrogatory process |
| <input type="checkbox"/> CDC 128-G CSR Endorsement | <input type="checkbox"/> CDC 839/840 Classification/Reclassification Score Sheet |
| <input type="checkbox"/> CDC 7362 Health Care Request (-pay) | <input type="checkbox"/> Complete Section: _____ |
| <input type="checkbox"/> CDC 629-A/B SHU Term Assessment Sheet | <input type="checkbox"/> Sign & Date Section: _____ |
| <input type="checkbox"/> CDC 7219 Medical Report | <input type="checkbox"/> Emergency Processing Not Warranted Per CCR 3084.7 |
| <input type="checkbox"/> Other (See Below) | <input type="checkbox"/> You must start appeal in Section A/B (then add 1 page) |
| <input type="checkbox"/> You may not request forms/documents thru the appeal process | <input type="checkbox"/> You cannot write "See Attached" in Section A or B |
| <input type="checkbox"/> You may only file 1 non-emergency appeal per 7 days, CCR 3084.4(a) | |
| <input type="checkbox"/> Failed to reasonably demonstrate, action, policy or condition as having an adverse affect upon the inmate's welfare, per CCR 3084.1(a). | |

- ☐ 6. The appeal exceeds the 15 working day time limit and the inmate has failed to offer a credible explanation as to why he could not submit the appeal within established time limits, CCR 3084.2(c), 3084.3(c)(6), 3084.6(c).
- ☐ 7. A limit of only one continuation page, front and back, may be attached to the appeal to describe the problem and action requested in Sections A and B. CCR 3084.2(a)(1)
- ☐ 8. You may not submit an appeal on behalf of another inmate.
- ☐ 9. You must re-attach all previous Screening Forms (CDC 695's) relative to this appeal before the appeal can be processed any further.

COMMENTS: Pointless verbiage ... clarify problem and request

R. Carter, CCII

R. CARTER, CCII - Appeals Coordinator CSP-Sacramento

8.22.07

Date

NOTE: This screening action may not be appealed unless you allege that the above reason is inaccurate. In such case, please return this form to the Appeals Coordinator with the necessary information.

CDC 602 (12/87)

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other ☐ See Attached Letter

For the Director's Review, submit all documents to: Director of Corrections
P.O. Box 942883
Sacramento, CA 94283-0001
Attn: Chief, Inmate Appeals

Signature: _____ Date Submitted: _____

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

Warden/Superintendent Signature: _____ Date Returned to Inmate: _____

Signature: _____ Date Completed: _____

☐ See Attached Letter

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: _____

Second Level: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other

Signature: _____ Date Submitted: _____

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

Division Head Approved: _____ Title: _____

Staff Signature: _____ Title: _____

Date Completed: _____
Returned: _____
Date to Inmate: _____

SERGEANT

SEE ATTACHED

Interviewed by: _____

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: _____

First Level: ☒ Granted ☐ P. Granted ☐ Denied ☐ Other

10.25.07 Due Date: 12.11.07

State of California
Department of CorrectionsCalifornia State Prison-Sacramento
P.O. Box 29, Represa, CA 95671

INMATE/PAROLEE APPEAL SCREENING FORM

Name Payer CDC#: K75989 Issue: 5 Housing: A7-206
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☐ Your first appeal is currently under review at the _____ level.
☐ This appeal has been withdrawn.
☐ Your appeal was completed, Log # _____
- ☐ 3. You are appealing an action not yet taken.
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☐ Counselor/CCI ☐ Dental Office ☐ Visiting Sgt. ☐ Records ☐ Housing Unit C/O
☐ Medical Clinic ☐ Trust Office ☐ Mailroom ☐ Law Library ☐ C/O who Inventoried Prop
☐ Psyche Clinic ☐ I/M Assignment Office ☐ R&R ☐ Fac. Prop. C/O ☐ Other _____
- ☐ 5. You have not adequately completed the Inmate/Parolee form (CDC 602) or attached the proper documents.

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☐ CDC 128-G Initial Classification Committee
☐ CDC 128-G ICC/UCC Classification Committee Action
☐ CDC 128-G UCC ☐ CSR Referral ☐ Annual Review
☐ CDC 128-G ASU/ICC Chrono as checked: ☐ Walk Alone ☐ Single Cell ☐ Release from ASU ☐ SHU Recommendation
☐ CDC 128-G Ad/Seg Initial Chrono ☐ CDC 114D
☐ CDC 128-G Ad/Seg ICC Class. Committee CSR Referral
☐ CDC 128-G CSR Endorsement
☐ CDC 7362 Health Care Request (-pay)
☐ CDC 629-A/B SHU Term Assessment Sheet
☐ CDC 7219 Medical Report
☐ Other (See Below)
☐ You may not request forms/documents thru the appeal process
☐ You may only file 1 non-emergency appeal per 7 days, CCR 3084.4(a)
☐ Failed to reasonably demonstrate, action, policy or condition as having an adverse affect upon the inmate's welfare, per CCR 3084.1(a).
- ☐ CDC 1819 Denied Publications
☐ CDC 1030 Confidential Disclosure form
☐ CDC 128-A ☐ CDC 128-B ☐ CDC 128-C
☐ CDC 128-B1 Request for Removal from Assignment
☐ CDC 128-B2 SSU/IGI Gang Validation
☐ Resubmit First Level Response
☐ CDC 143 Prop./Trans. Receipt ☐ Cell Search Receipt
☐ Appeal Process not to be used for interrogatory process
☐ CDC 839/840 Classification/Reclassification Score Sheet
☐ Complete Section: _____
☐ Sign & Date Section: _____
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☐ You must start appeal in Section A/B (then add 1 page)
☐ You cannot write "See Attached" in Section A or B

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- ☐ 8. You may not submit an appeal on behalf of another inmate.
- ☐ 9. You must re-attach all previous Screening Forms (CDC 695's) relative to this appeal before the appeal can be processed any further.

COMMENTS:

your 602 was granted. The 1st level status you reviewed all your property - that you self-admitted. If your TV was taken later that's a different issue - new 602

J. O'Brian

J. O'BRIAN, CCI - Appeals Coordinator CSP-Sacramento

Date

12. 13. 07

NOTE: This screening action may not be appealed unless you allege that the above reason is inaccurate. In such case, please return this form to the Appeals Coordinator with the necessary information.

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

PS-102



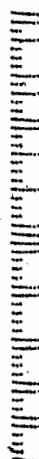
UNITED STATES POSTAGE
02 1A
0004329882 JUL 28 2008
\$ 00.59
MAILED FROM ZIP CODE 94102

RECEIVED

JUL 29 2008

CSP-SAC MAILROOM

9567130066 E001



IT TAKES TO FEED MYSELF FOR ALMOST 2 MONTHS IN S V S P, WELL JULY 28, I JUST PURCHASED, 45 DOLLARS IN AD SEG CANTINE, IN S V S P, THE SAME APPROVEABLE ITEMS FOR CSP SAC AD SEG, & ATE 3 SOUPS ONLY, OUT OF MY STORE, THEN 3 DAYS LATER, I ARRIVED HERE, BEING DEPRIVED MY APPROVEABLE CANTINE ITEMS TO FEED MYSELF. I AM UNDER WEIGHT, UNHEALTHY, HUNGRY, & WITHOUT, IN MY CELLS, AD, AD SEG, & FOR PROPERTY OFFICER, CO-^{CDC POLICE}WARRANT, IS INTENTIONALLY DEPRIVING ME, OF MY APPROVEABLE ITEMS, IM ACCESSABLE TO, FOR AD SEG, OVER PERSONAL GRUDGES, (MY STORE, HOME ADDRESS, & LEGAL WORK.) I SERIOUSLY, FEELS, THRU RETALIATION, & NEGLIGENCE, CONSIDERING, IM UNDERWEIGHT, STARVING, & UNHEALTHY, MY PHYSICAL, & MENTAL HEALTH, IS WORSENING, OVER MY ~~INTENSIONS~~ CONDITIONS, & BEING DEPRIVED, OF MY APPROVEABLE ITEMS, I ~~ACCESSABLE APPROVEABLE ITEMS~~ ACCESSABLE TO, IN AD SEG. I BOUGHT IN AD SEG, S V S P INCLUDING, IM NOT PLACED IN AD SEG CSP SAC, FOR DISCIPLINE. REASONS. I FEEL, THIS IS CRUEL & UNDD, TO BE PLACED IN MY CELL WITHOUT ANYTHING, WHICH IS INTENTIONALLY KEEPING ME, FROM PROGRAMING, (GETTING IN SHAPE) BY NOT HAVING ENOUGH FOOD, & CALORIE FOR MY NORMAL PHYSICAL ROUTINES, ALSO TO WRITE MY FAMILY, DUE TO MY ADDRESS IS WRITTEN ON A MINILLA POSTAL ENVELOPE, & TO NOTIFY NORTHERN DISTRICT COURT IN SAN FRANCISCO

SECTION 2
F CONTINUED

1ST MY APEAL ISSUE IS THE SAME
2ND IM STILL DISATISFIED WUE
TO ME NOT ACCEPTING ANYTHING
OTHER THEN ME EXHAUSTING
MY 603. & FILEIN'G MY LAW SUIT

I STILL HAVENT HAD NO
RESPONCE & IM IN NEED OF MY HAND
WRITTEN COPIES OF MY GROUNDS IN MY CIVIL
SUIT.

(SECTION b) CONTINUED

FOR INTENSIONALLY DELAYING MY 602
MALISHISLY FOR 30 DAYS, NOW I HAVE TO
WAIT ANOTHER 30 DAYS FOR RESPONCE,
I WAS INTITLED TO 30 DAYS AGO.

SEE ATACHED REQUEST FORM
SHOWING EVIDIENCE I WROTE PROPERLY
BY ATACHED 1ST, OUT OF 4, FORMS I WROTE
nnnnccvv

DEPARTMENT OF CORRECTIONS

INMATE'S NAME		CDC NUMBER	PRIVILEGE GROUP	INSTITUTION	DATE
Pryer		K75989		RUSP	7/31/07
PROPERTY INVENTORIED BY		TITLE	REASON FOR INVENTORY		NUMBER OF BOXES
C. Lopez		CLC	Trans to SAC 7-31-07		
CANTEEN ITEMS		PERSONAL ITEMS		NON-EXPENDABLE ITEMS	
<input type="checkbox"/> Cereal <input type="checkbox"/> Cocoa <input checked="" type="checkbox"/> Crackers 41 <input type="checkbox"/> Dry Meat <input type="checkbox"/> Health Food <input type="checkbox"/> Vitamins <input type="checkbox"/> Nuts <input type="checkbox"/> Tea <input type="checkbox"/> Soda <input type="checkbox"/> Jelly <input type="checkbox"/> Honey <input type="checkbox"/> Hot Sauce <input type="checkbox"/> Cheese <input checked="" type="checkbox"/> Cookies 2 <input type="checkbox"/> Creamer <input type="checkbox"/> Dry-Drink Mix <input type="checkbox"/> Protein Supplement <input checked="" type="checkbox"/> Soup 36 <input type="checkbox"/> Sugar Cubes <input checked="" type="checkbox"/> Instant Coffee 1 <input type="checkbox"/> Peanut Butter <input type="checkbox"/> Chips <input type="checkbox"/> Pork Rinds		<input type="checkbox"/> Photo Albums <input type="checkbox"/> Cassette Tapes <input type="checkbox"/> Religious Medallion <input type="checkbox"/> Chain G S <input type="checkbox"/> Watch G S <input type="checkbox"/> Prescription Glasses <input type="checkbox"/> Handkerchief <input type="checkbox"/> Magazines <input type="checkbox"/> Address Book <input type="checkbox"/> Shoe Horn <input type="checkbox"/> Brush <input type="checkbox"/> Cosmetic Bag <input type="checkbox"/> Photos <input type="checkbox"/> CDs <input type="checkbox"/> Ring G S <input checked="" type="checkbox"/> Earrings G S <input type="checkbox"/> Wallet <input type="checkbox"/> Sunglasses <input type="checkbox"/> Wash Cloth <input type="checkbox"/> Books <input type="checkbox"/> Calendar <input type="checkbox"/> Shaving Bag <input type="checkbox"/> Comb <input type="checkbox"/> Perm Rods		<input checked="" type="checkbox"/> Televisions <input type="checkbox"/> A/C Adapter Operational <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Model: Zenith SR/N: # 0215 <input type="checkbox"/> CD/Cassette Player <input type="checkbox"/> A/C Adapter Operational <input type="checkbox"/> Yes <input type="checkbox"/> No Model: SR/N: <input type="checkbox"/> Radio <input type="checkbox"/> A/C Adapter Operational <input type="checkbox"/> Yes <input type="checkbox"/> No Model: SR/N: <input type="checkbox"/> Musical Instruments Operational <input type="checkbox"/> Yes <input type="checkbox"/> No Type: Model: SR/N:	
Stationary Items		Clothing Items			
<input type="checkbox"/> Envelopes <input type="checkbox"/> Stamped Envelopes <input type="checkbox"/> Writing Tablets <input type="checkbox"/> Pencil Sharpener <input type="checkbox"/> Writing Paper <input type="checkbox"/> Stamps <input type="checkbox"/> Greeting Cards <input type="checkbox"/> Stationary <input checked="" type="checkbox"/> Pens <input type="checkbox"/> Pencils		<input type="checkbox"/> B/B Hat <input type="checkbox"/> Head Band <input type="checkbox"/> Shower Thongs <input type="checkbox"/> Sweat Pants <input type="checkbox"/> Tennis Shoes <input checked="" type="checkbox"/> Thermal Top <input type="checkbox"/> Bras <input type="checkbox"/> Gym Shorts <input type="checkbox"/> Slip <input type="checkbox"/> Watch Cap <input type="checkbox"/> Gloves <input type="checkbox"/> Slippers <input type="checkbox"/> Sweat Shirt <input type="checkbox"/> Raincoat <input type="checkbox"/> Thermal Pants <input type="checkbox"/> Panties <input type="checkbox"/> Athletic Supporter			
Hygiene Items		Games			
<input type="checkbox"/> Razor <input checked="" type="checkbox"/> Shaving Cream <input type="checkbox"/> Nail Clippers <input type="checkbox"/> Soap <input type="checkbox"/> Toothpaste <input type="checkbox"/> Baby Powder <input type="checkbox"/> Shampoo <input type="checkbox"/> Hair Grease/Gel <input type="checkbox"/> Perm Kit <input type="checkbox"/> Nail Polish <input type="checkbox"/> Makeup Ball <input type="checkbox"/> Mascara <input type="checkbox"/> Tweezers <input type="checkbox"/> After Shave <input type="checkbox"/> Nail Polish <input type="checkbox"/> Soap Dish <input type="checkbox"/> Mouthwash <input type="checkbox"/> Talc <input type="checkbox"/> Conditioner <input type="checkbox"/> Deodorant <input type="checkbox"/> Mirror <input type="checkbox"/> Foundation <input type="checkbox"/> Blush <input type="checkbox"/> Other:		<input type="checkbox"/> Chess <input type="checkbox"/> Dominoes <input checked="" type="checkbox"/> Checkers <input type="checkbox"/> Other			
Tobacco Items		Hobby Items			
<input type="checkbox"/> Tobacco <input type="checkbox"/> Tobacco <input type="checkbox"/> Tobacco Pouch <input type="checkbox"/> Cigarette Roller <input type="checkbox"/> Immersion Heater <input type="checkbox"/> Bowl <input type="checkbox"/> Polish <input type="checkbox"/> Chewing Tobacco <input type="checkbox"/> Cigarette Lighter <input type="checkbox"/> Cigarette Case <input type="checkbox"/> Smoking Pipe <input type="checkbox"/> Tumbler <input type="checkbox"/> Can Opener <input type="checkbox"/> Extension Cord					
TO BE SIGNED BY INMATE'S SIGNATURE		TO BE SIGNED UPON RETURN TO THE INMATE			
I have received all the above listed items constitute all of my personal property which I am authorized to retain.		I have received all the above listed personal property or have noted any discrepancies below:			
DATE: 7/31/07		DATE:			
INSTITUTION: SCOSP		INMATE'S SIGNATURE:			
CEIVED IN R&R BY:		DATE: 7/31/07			

SENDING INSTITUTION/FACILITY SVSP						
DESTINATION SAC		SCHEDULE Special				
Inmate's Name	CDC Number	Number of Personal Property Boxes (6 cu ft Limit)	Television (Boxed)	Musical Instrument (If Boxed Separately)	Number of Active Legal Case Boxes	Total Number of Boxes
+ Mata	K15927	1	X	X	X	1
+ Knight	K21552	1	X	X	X	1
+ Pryer	K75989	2	1	X	X	3
Pulled TV set on 8/6/07						
TOTAL						
I HEREBY ACKNOWLEDGE THE ACCURACY OF THIS DOCUMENT		SIGNATURE [Signature]		PRINTED NAME F. Abunacion		DATE 7-31-07
TRANSPORTATION						
I HEREBY ACKNOWLEDGE THE RECEIPT OF THE ABOVE PROPERTY		SIGNATURE [Signature]		PRINTED NAME Y. Vasquez		DATE 7-31-07
ENROUTE TRANSPORTATION						
I HEREBY ACKNOWLEDGE THE RECEIPT OF THE ABOVE PROPERTY		SIGNATURE		PRINTED NAME		DATE
RECEIVING INSTITUTION/FACILITY						
I HEREBY ACKNOWLEDGE THE RECEIPT OF THE ABOVE PROPERTY		SIGNATURE [Signature]		PRINTED NAME F. DEINESEN		DATE 7-31-07

RE: California State Prison - Sacramento (SAC)
First Level Reviewer Response
Appeal Log #: SAC-S-07-02408
Date: October 26, 2007

A7 206

Inmate: PRYER (K-75989)

APPEAL ISSUE:

Property

APPEAL DECISION:

Granted

APPEAL RESPONSE:

Sergeant J. Baker was assigned to investigate your appeal at the First Level of Review and you were interviewed on October 26, 2007.

SUMMARY OF APPEAL:

Your appeal is alleging that on July 31, 2007, you arrived at SAC from Salinas Valley State Prison (SVSP) and was housed in Administrative Segregation. You had just received restitution for a civil suit; however, while your funds are being processed, you are without your food items that you had purchased just prior to your transfer. Procedure for ASU placement did not allow you to receive your property including your food items and legal work.

You are requesting that you be provided with all of your property that you transferred with from SVSP.

SUMMARY OF INQUIRY:

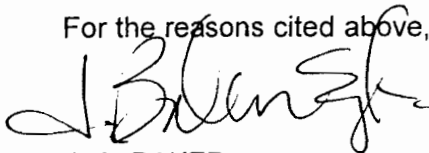
The Department's rules regarding this issue are contained in CCR Section 3190(c), which state in part, "Upon an inmate's transfer between institutions, the sending institution shall inventory the inmate's property and, pursuant to section 3191 ensure the proper disposition of property not allowed at the receiving institution as a result of privilege group, and/or security level, and/or institution mission changes."

On Friday, October 26, 2007, I interviewed you in regards to this Appeal. You stated that you were displeased with the ASU property procedure and the length of time it took to obtain your property, but that you **did** receive all of your property.

Therefore, your issue has already been resolved; you have all of your property. You brought forth a new issue when you responded in (Section D. Formal Level) of your appeal. These issues are separate from the original problem, and must be submitted separately.

APPEAL RESPONSE:

For the reasons cited above, your appeal is **GRANTED**.



J. A. BAKER
Correctional Sergeant
A Facility Administrative Sergeant



